

Single Bench

IN THE HIGH COURT OF JUDICATURE : CHHATTISGARH : BILASPUR

WRIT PETITION NO : 4461 OF 2004

PETITIONER

M.L.SAHU

aged about 59 yrs

S/o Shri S.R.Sahu

Sub-Engineer : PWD : Sakti

Sub-Division, HQr-Malkharoda

Distt-Janjgir-Champa CG

P.R.No. 4449/04
Presented by Shri. Amuray Shrivastava
dated 11.11.04

- VERSUS -

RESPONDENTS

: ✓ 1. STATE OF CHHATTISGARH

Through :

The Secretary to the
Government of Chhattisgarh
Public works Department,
Mantralaya : DKS-Bhavan,
Raipur CG

✓ 2. The Executive Engineer,
PWD : Champa Division,
Champa : Distt-Janjgir-
Champa -CG

WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA

Indexing
Bilaspur
17/11/04
Clerk to A.G.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

WP 4461/04

सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	8-12-2004 Shri R. Dayal Shrivastava, Counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Akhil Agrawal, Panel Lawyer for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Sakti to Ambikapur vide order dated 8-9-2004 (Annexure-P/1). He also submits that the petitioner is due for retirement on superannuation on 31-12-2005. He also submits that the petitioner has been transferred against the transfer policy. He also submits the wife of the petitioner is working as an Assistant Teacher in Government Sadar Primary School, Sakti and as per the policy the husband and wife should be posted at one place. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to	

GRPRJ

9,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मापला क्रमांक

wp 4461/04

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Gowri	make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation. Learned counsel for the petitioner submits that none has been posted in place of the petitioner. He prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observation, this petition stands disposed of. Consequently, M.W.P.No.4804/2004 also stands disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge

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